**THE HON'BLE SRI JUSTICE A. GOPAL REDDY**
**AND**
**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

**TAKEN UP WRIT PETITION NO.23370 OF 2007**

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**Date: 19.11.2007**

Between:

Smt. Lakshmi. … Petitioner

And

The Station House Officer (Crimes),
Nagari Police Station, Chittoor District
and another. … Respondents.

**ORAL ORDER**: **(per A. Gopal Reddy, J)**

Telegram dated 30.10.2007 sent by the petitioner Smt. Lakshmi resident of Chennai to the Hon'ble the Chief Justice alleging that her daughter Mrs. Thirumala, aged 35 years and her grand son, namely, Master Venkataramana, aged 13 years, were illegally taken away by the Sub-Inspector of Police, Nagiri Police Station on 26.10.2007 from the house of the petitioner and were illegally detained in the police station and she apprehends danger to their lives, was taken up as a writ of habeas corpus and notices were issued to the respondents.

In response to the rule nisi, the Sub-Inspector of Police Nagari P.S. filed counter-affidavit stating that the alleged detenus were shown as accused Nos.2 and 3 in Crime Nos.188 to 190 of 2007 of

Tiruchanur Police Station, registered on 30.10.2007 for the offence punishable under Section 41(1) of the Code of Criminal Procedure. It is further averred that in connection with the said crimes the alleged detenus were arrested on 30.10.2007 by Tiruchanur Police and were produced before the Mandal Executive Magistrate, Tirupathi on 31.10.2007. The Mandal Executive Magistrate, Tirupathi treating the chargesheet filed in Crime Nos.188 to 190 of 2007 as M.C.No.11/2007 passed orders on the same day binding over the alleged detenus and A.1 for keeping good behaviour for a period of six months and accordingly they were released on the same day on their furnishing self bonds for Rs.500/- each and they are now moving freely.

The charge sheet filed in M.C.No.11 of 2007 and the proceedings of the Mandal Executive Magistrate, copies of which have been filed along with the counter-affidavit, clearly discloses that pursuant to registering of Crime Nos.188 to 190 of 2007 of Tiruchanur Police Station against the alleged detenus, they were arrested and produced before the Mandal Executive Magistrate and the Magistrate passed orders on 31.10.2007 binding over the accused for keeping good behaviour and set them free on the same day on their executing personal bonds. Since the alleged detenus were arrested in connection with a crime and were later released on their executing personal bonds, we see no truth in the allegations made in the telegram sent by the petitioner that the alleged detenus were illegally detained by the police. Hence, the writ petition is dismissed.

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**A. GOPAL REDDY, J**

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**19th November, 2007** **NOOTY RAMAMOHANA RAO, J**

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